

203-011223-017

AMENDMENT OF  
FMC AGREEMENT NO. 203-011223

ORIGINAL

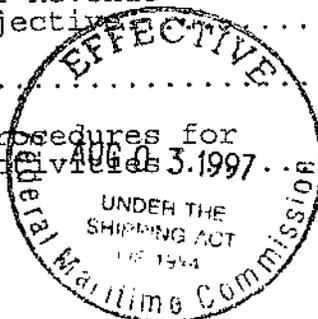
WHEREAS, the Parties wish to amend the Transpacific Stabilization Agreement, FMC No. 203-011223, as amended previously (the "Agreement"), for purposes of clarifying and restating in greater detail the existing revenue policy objective and related scope of discussion activity currently authorized under the Agreement, particularly Article 5 and Appendix C thereof, without substantively altering those provisions but rather expressing them in such terminology as is in common use by other non-binding discussion agreements now in effect under the Shipping Act of 1984;

NOW, THEREFORE, in accordance with Article 8 of the Agreement, the Parties have taken action as reflected by Fourth Revised Page No. 1 (updated Table of Contents), Second Revised Page No. 30 and Third Revised Page Nos. 31 and 32 of the Agreement which are attached hereto and made a part hereof.



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the implementation dates and in the amount of revenue improvement, including rates, rules and practices, pursuant to tariffs and service contracts of each Party, while observing any applicable confidentiality requirements under the Conferences or other relevant agreements in the Trade.

The policy objective of the Parties, as referenced in subarticles 5.09 and 5.10, pertains to all aspects of tariffs, service contracts, general rate and revenue levels, specific rates and charges, increases and decreases, service items, classifications, practices, terms, conditions, rules and regulations applicable to transportation of cargo in the Trade and to services provided in connection therewith, notice periods for changing rates and service items, port-to-port rates, overland rates, minilandbridge rates, intermodal rates, proportional rates, through rates, inland rates, inland portions of through rates, joint rates, minimum rates, surcharges, arbitraries, volume rates, time/volume rates, project rates, unit rates, commodity rates, freight-all-kinds rates, volume incentive programs, loyalty arrangements or fidelity commission systems as

permitted by law, consolidation, consolidation allowances, rates on commodities exempt from tariff filing, absorptions, equalization, substituted (alternate port) services, allowances, freight forwarder compensation, brokerage and conditions determining such compensation or brokerage and the payment thereof, receiving, handling, storing and delivery of cargo, designation of base ports and points, pickup and delivery charges, free time practices, detention and demurrage, container depots, terminals and other points of cargo receipt, vanning and devanning, furnishing equipment to or leasing equipment from shippers, consignees, inland carriers and others, collection agents at destination, rules regarding the time and currency in which the Parties collect rates and charges, credit terms and conditions, suspension and restoration of credit privileges, handling of delinquent accounts and interest thereon, any rate or other matter on which independent action has been taken, matters on which rates are "open" with or without minimum requirements, and practices, rules, regulations and matters ancillary to transportation of cargo in the Trade.

APPENDIX D

[This space is intentionally blank.]

IN WITNESS WHEREOF, the Parties have caused this amendment of the Agreement to be executed on their behalf by their duly authorized representative.

TRANSPACIFIC STABILIZATION AGREEMENT

By:   
Name: Robert A. Peavy  
Title: Counsel to the Agreement  
(Pursuant to authorization under  
subarticle 6.9)

Date  
Signed: June 19, 1997